
BOARD OF SELECTMEN MEETING MINUTES

10/7/08

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Paula Bertram, Steven M. deBettencourt, Thomas Mason, Dave Matthews and CAFO Kerry Speidel present, Thomas Alonzo absent. Meeting opened at 7:32 P.M. with the Pledge of Allegiance

PUBLIC DISCUSSION

Dave Matthews discussed the Jones House (42 Main Street) considers this as a symbol of where the town has failed over the years. Referred to situation that exists between the Conservation Commission and the Hollis Road property would like the office to see if they could look into doing something similar to bring the building up to standards. To be placed on future agenda.

ANNOUNCEMENTS

1. Yard Waste Days - The Lunenburg Landfill, off of Youngs Road will be open for consecutive Saturdays October 18th and continuing to November 22nd, 8:00 a.m. to 4:00 p.m. Acceptable material: grass clippings, bark mulch, wood chips, leaves, brush (with a diameter not to exceed 3 inches, unlimited length). Shrubbery and plantings; with the same restrictions. Any container; bags, boxes, barrels, trashcans, tarps, flower pots, etc., must be removed and taken by the resident. No household garbage, trash, or rubbish of any kind will be accepted. No materials within the Landfill area; sand, stone, gravel, etc. are to be given away or sold. Access will be restricted to the disposal area. Commercial landscapers will not be allowed to dump. OPEN TO LUNENBURG RESIDENTS ONLY.

2. Lake Shirley Dam, Fall drawdown – scheduled to take place tomorrow per the NOI on file with the Lunenburg Conservation Commission.

3. Recognized Eagle Scout Court of Honor for Roger Whitcomb Jr. – Paula read a proclamation to Roger Whitcomb Jr. on his achieving the rank of Eagle Scout, scheduled to be awarded at a Court of Honor Ceremony on Saturday, October 11, 2008. His project was at the Towns Veteran's park and involved removal of a tree, relocation of the park sign and landscaping.

APPOINTMENTS

1. 7:15 P.M. – Marion Benson, New Green Energy Law – Marion informed the board of the Green Community's Act and what the town should be looking at in the future. Governor Patrick signed this act on July 2nd and the intent is to promote clean energy development, increase the use of energy efficient technology, reduce energy consumption and promote renewable energy development. Reviewed the attached information relative to the Act and the Department of Energy Resources (DOER).

A number of neighboring communities have instituted measures and grant applications for various methods of green community efficiency. Marion would suggest to the Board the formation of a working group under the CAFO and should include the school facilities director and town facilities director. Should identify where we're going and what specific funding sources are available. Lunenburg should have a representative at these regional meetings and pass this information on to the community. MRPC has recently held a regional meeting that addressed this issue and would suggest a Lunenburg representative attend these in the future. Municipal buildings will be built under specific mandates to be green efficient and we should begin the process now to identify how we can be energy efficient within our municipal buildings.

Board expressed appreciation to the Planning Director for investigating and bringing this information to the town. Would like to have this placed on a future agenda to present a charge for the task force and get working on this.

CURRENT BUSINESS

1. CAFO Updates – Kerry reviewed the attached memorandum. Also informed the board that she would like to schedule a financial summit within the next month to present information on the budget, a five-year financial forecast, and moving forward to 2010. Noted that state revenues are down and capital gains are down significantly, overall collections were about flat or down 1%. It's bad, but at this time, not sure to what amount state aid will be impacted. Governor has put together a 5-point plan in addressing these shortfalls, per the attached information from the Governor's website. His present plan at this present time, doesn't impact state aid. There are grant programs which may be cut, which will impact the towns such as community policing, also potential cuts in other grants that the police receive from the state, so there will be an impact on our budget in this way.

The towns' status on revenue collections and overall we have seen an increase of about 3% and we've borrowed all of the money for Meadow Woods so our investment is higher, real estate collections are up 6% over this time last year. The one big concern is building permit receipts and we're down about 50%, people are doing renovation projects but everything else overall is about where we'd expect it to be, so this is encouraging.

Steve's concern is the 9C cuts that the town experienced previously and the fact that these were given in the middle of the year.

Per the CAFO these types of cuts are a valid reason for tapping into the town's stabilization fund. New growth for 2009 from the Board of Assessor's which was estimated at \$175,000 and is now \$138,168. about a \$37,000 deficit. Will have to make up in reduction of expenditures, or tweaking the revenues and not enough evidence to date to push the revenue numbers so may be looking at some form of

cuts. Should be able to handle internally until we get to a town meeting. Would recommend a televised meeting, similar to a budget presentation at a board meeting.

2. Minutes - Board of Selectmen Regular and Executive Session for 9/2/08, 9/16/08 and 9/30/08 reviewed and signed.

Warrants - #16 09, 10/02/08 - \$483,219.31 and #17 09, 10/7/08 - \$678.823/08 reviewed and signed.

3. Action File Issues – None

4. License – Automatic Amusement Devices (additional) – JK Waterfront, d/b/a On the Rocks is requesting an additional license for two additional video machines at 96 Lakefront Ave., Dave motion to recommend approval, Tom M., seconded voted unanimously.

5. Liquor License Lakeview Club – CAFO reviewed the attached information relative to the Lakeview Club's Liquor License. Informed the board that the Lakeview Club owed taxes back to 2006 and we currently have a lien on the property. One option is for the applicant to enter into an agreement with the Tax Collector, which the Club did in December of 2007 in order to obtain their 2008 liquor license and at this point in time they owe about \$18,000 to the town. They have made one payment of approximately \$1,000 and there have been no other payments to date on this agreement. The Tax Collector sent a certified letter to the property owners which she furnished to the CAFO who in turn forwarded the attached letter. As the Town has adopted MGL Chapter 40, Section 57, the property owner has to be notified two weeks prior to a revocation hearing, which is similar to the dog hearing process. At this point would recommend that something be done, however, as we are close to the end of the calendar year would like to know if the board would like to follow through with the hearing process or just take this under advisement and unless the taxes are paid in full by the end of the calendar year, the liquor license will not be issued. Is up to the discretion of the Tax Collector on whether she will accept a payment plan, not up to the Board of Selectmen. Tom M., would not want to put them out of business, but would recommend that we advise them that their liquor license will not be issued unless their payments are up to date.

Steve up to the licensing commission to put in, that if the taxes are not paid, they will not be issued the license. Historical incident as he has on numerous occasions visited these establishments, would recommend that the office hand deliver letters to the establishments and let the property owners know that we will not issue liquor licenses until payments are up to date.

Per the CAFO, the office has been informed of the other delinquent tax payers and information on these other establishments will be coming to her as well. Noted, that we have to be very specific in the language that we will initiate the process to revoke the licenses.

Board concurred to send a letter and would recommend that receipt of letters are signed by the property owners. Would also like a list of the other property owners whose taxes are delinquent.

OLD BUSINESS

1. Committee Updates -

- Dave Matthews, School Committee meeting has received a Secure Our Schools Grant, approximately \$46,000 for THMS lighting and cameras at the HS, upgrade to burglar alarm system, locks etc. Grant to work with the Teen Ctr., and committee is looking at their budget for 2010. Reviewed their capital plan about \$500,000. Regionalization Committee update the committee is looking at how the region will be populated, and is currently in the process of hiring an attorney.
- The Advisory Committee meeting to look at alternatives to regionalization was also held and looking at the various impacts. Elected Dave Reif as Chair of the Committee.
- Paula attended the Planning Board Meeting, they are currently continuing to investigate 43B sites, one located near Pioneer Drive and they will be sending a letter to the Sewer Commission with regards to the sewer districts that they are currently delineating. Also noted that Montachusett Joint Transportation Committee (MJTC) currently looking at redistricting the area and are trying to align community's as far as regional services. Also, noted that Sewer Commission is meeting tomorrow with Wright Pierce and discussing the sewer-districting plan. One of the biggest issues is the capacity available with the communities of Fitchburg and Leominster and renegotiating the current IMA's that are in place.

COMMITTEE APPOINTMENTS/REAPPOINTMENTS

1. Council on Aging – per the memo from the Council on Aging board voted unanimously to appoint Jane Doyle to the vacant position on the council, term to expire 6/30/11.

Also, per the attached CAFO memo, and in accordance with the Town Charter Section 4-2(d) is notifying the board of her intent to hire Doreen Noble as the new Director for the Council on Aging.

EXECUTIVE SESSION

1. Contract Deliberations

2. Litigation Strategies

Being no further business board voted unanimously to adjourn Regular Session at 8:12 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

BOARD OF SELECTMEN
EXECUTIVE SESSION
10/7/08

The Board of Selectmen met in Town Hall as scheduled with Paula Bertram, Steven M. deBettencourt, Thomas Mason, Dave Matthews and CAFO Kerry Speidel present, Thomas Alonzo absent. Adjourned Regular Session at 8:12 P.M. and opened Executive Session by roll call vote; Steve aye, Paula aye, Tom M. aye and Dave aye, at this time for the purpose of discussing contract negotiations and litigation strategies.

Vice-Chairman announced that the Board would not be returning to Regular Session

1. Contract Deliberations – Kerry provided a copy of the new clerical contract, reviewed and identified the changes as attached. Important to keep in mind that this group's wage brackets were very low, up to 20% off of what surrounding communities are at. Town was really way off the mark with this group. Discussed job descriptions and the fact that these have to be done outside of this contract. There is funding to support this contract within the salary reserve, it is higher than what the CAFO is looking at for other unions because they are so far out of whack. Also noted that they (clerical) gave up some significant benefits within their contract. Concern of board is that if we come in with these types of adjustments with other units, we'll be in trouble next time we go to negotiate with them and the impacts of step increases and COLA increases. The fact that this is two separate issues at this time makes it difficult. Union has ratified the agreement. Changes that were made to the health insurance plans will by 2010 have some positive impacts financially to the good. This town has not been hurt by cuts and based upon direction that the board gave to CAFO in the beginning, this pay grid was off. We had to take a good look at the grid and receive a fair raise, doesn't mean that once you get to the top of the grid you're not going to get any more than a COLA increase. Net increase of about 4% because they're giving up the merit stipend and the sick leave buy back. Tom M., moved to accept the contract as presented, Dave seconded, Dave aye, Tom M., aye, Steve no, and Paula aye.

2. Litigation Strategies – Kerry noted the Alleva appeals process and referred to the email from Rich Bowen and that K&P is currently working on the easement language. One of the board members is particularly concerned over the fact that the vehicles on the easement have not been moved and the town does not have appropriate emergency vehicular access into the town forest.

Being no further business board voted by roll call vote to adjourn @ 9:25 P.M., Dave aye, Tom M., aye, Steve aye and Paula aye.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen

Voted to be incorporated with regular minutes on: _____.